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SEC

SERVICE DATE – JULY 22, 2004

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 34495

BUCKINGHAM BRANCH RAILROAD COMPANY — LEASE —
CSX TRANSPORTATION, INC.

Decision No. 3

Decided: July 21, 2004

NOTICE TO THE PARTIES:

The attached service list has been compiled from the notices of intent to participate submitted in accordance with the procedural schedule set forth in this proceeding in Decision No. 2, served June 22, 2004, and published June 25, 2004, in the Federal Register at 69 FR 35704-09.

Each person actively participating as a Party of Record in this proceeding must, within **10 days** of the service date of this Notice, serve a copy of all filings submitted so far in this proceeding on each Party of Record (designated on the attached service list as “Party of Record”) to the extent such filings have not previously been served upon such other parties. Each Party of Record also will be required to file with the Secretary of the Board, within **10 days** of the service date of this Notice, an original plus 10 copies of a certificate of service, along with an electronic copy, indicating that the service required by the preceding sentence has been accomplished. Alternatively, a party may file a certificate of service via the Board’s e-filing format.

Any document filed in this proceeding must be filed either via the Board’s e-filing format or in the traditional paper format. Any person e-filing a document should comply with the instructions found on the Board’s “www.stb.dot.gov” website, at the “E-FILING” link. Any person filing a document in the traditional paper format should send to the Board an original and 10 paper copies of the document (and also an IBM-compatible floppy disk with any textual submission in any version of either Microsoft Word or WordPerfect).

Every filing made by a Party of Record after the service date of this Notice must have its own certificate of service indicating that all Parties of Record on the service list have been served with a copy of the filing. As stated in Decision No. 2, Members of the United States Congress and Governors are not Parties of Record and, therefore, need not be served with copies of filings, unless any such Member or Governor has requested to be, and is designated, as a Party of Record. At the present time, however, there are no “Member of Congress” or “Governor” designations on the service list.

The Board will continue to follow the practice regarding service of Board actions established in Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company — Control and Merger — Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company, Finance Docket No. 32760 (UP/SP). See UP/SP, Decision No. 15 (STB served Feb. 16, 1996), at 2-3. Copies of decisions, orders, and notices will be served only on those persons who are designated as Party of Record, Non-Party, Member of Congress, or Governor on the official service list. All other interested persons are encouraged either to secure copies of such decisions, orders, and notices via the Board's "www.stb.dot.gov" website under "E-LIBRARY/Decisions & Notices" or to make advance arrangements with the Board's copy contractor, ASAP Document Solutions, to receive copies of decisions, orders, and notices served in this proceeding. ASAP Document Solutions will handle the collection of charges and the mailing and/or faxing of decisions, orders, and notices to persons who request this service. The telephone number for ASAP Document Solutions is: (301) 577-2600.¹

All persons named on the attached service list should review the list and determine whether information about their address and status (as a Party of Record or Non-Party), is correct. The list reflects the Board's policy of allowing only one official representative per party to be placed on the service list, as specified in Press Release No. 97-68 dated August 18, 1997, announcing the implementation of the Board's "One Party-One Representative" policy for service lists. In this proceeding, if a request was made in the notice of intent to participate to have more than one name added to the service list as a Party of Record representing a particular entity, the extra name was added to the service list as a "Non-Party." Any person designated as a Non-Party will receive copies of Board decisions, orders, and notices but not copies of official filings. Persons seeking to change their status must accompany that request with a written certification that he or she has complied with the service requirements set forth at 49 CFR 1180.4, and any other requirements set forth in Decision No. 2 and this decision.

¹ An interested person does not need to be on the service list to obtain a copy of the application filed by Buckingham Branch Railroad Company (BBRR) and CSX Transportation, Inc. (CSXT), or any other filing made in this proceeding. The Board's Railroad Consolidation Procedures provide: "Any document filed with the Board (including applications, pleadings, etc.) shall be promptly furnished to interested persons on request, unless subject to a protective order." See 49 CFR 1180.4(a)(3). The BBRR/CSXT application and other filings received in this proceeding will also be available on the Board's "www.stb.dot.gov" website under "E-LIBRARY/Filings." Furthermore, ASAP Document Solutions will provide, for a charge, copies of the primary application or any other filing made in this proceeding, except to the extent any such filing is subject to the protective order previously entered in this proceeding.

Requests to change or correct service list information, or to be deleted from the service list, must be filed **in writing** with the Board by **August 10, 2004**. Parties must submit such requests either via the Board's e-filing format or in the traditional paper format (an original plus 10 copies, along with an electronic copy). Requests submitted in the paper format should be directed to:

Surface Transportation Board
Re: STB Finance Docket No. 34495
1925 K Street, N.W.
Washington, DC 20423-0001

Vernon A. Williams
Secretary

SERVICE LIST

PARTY OF RECORD

HONORABLE JOHN ASHCROFT
ATTORNEY GENERAL OF THE UNITED STATES
C/O ASSISTANT ATTORNEY GENERAL, ANTITRUST
DIVISION, ROOM 3645
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, DC 20530

PARTY OF RECORD

RONNIE D. CONWAY
PLANT MANAGER, MONTPELIER MINE & MILL
U.S. SILICA
P. O. BOX 187
BERKELEY SPRINGS, WV 25411

Represents: U.S. SILICA

PARTY OF RECORD

RICHARD S. EDELMAN
O'DONNELL, SCHWARTZ & ANDERSON, PC
1900 L STREET, N.W., SUITE 800
WASHINGTON, DC 20036

Represents: BROTHERHOOD OF MAINTENANCE OF
WAY EMPLOYEES

PARTY OF RECORD

LOUIS E. GITOMER
BALL JANIK LLP
1455 F STREET, N.W., SUITE 225
WASHINGTON, DC 20005

Represents: CSX TRANSPORTATION, INC.

PARTY OF RECORD

JOHN D. HEFFNER
JOHN D. HEFFNER, PLLC
1920 N STREET, N.W., SUITE 800
WASHINGTON, DC 20036

Represents: EASTERN SHORE RAILROAD, INC.

PARTY OF RECORD

SALLY S. KAMMAUFF
PRESIDENT-VIRGINIA CENTRAL RAILROAD,
LIMITED
762 LEXINGTON AVENUE
CHARLOTTESVILLE, VA 22902

Represents: VIRGINIA CENTRAL RAILROAD

PARTY OF RECORD

HONORABLE NORMAN Y. MINETA
SECRETARY, U.S. DEPARTMENT OF
TRANSPORTATION
400 SEVENTH STREET, S.W.
WASHINGTON, DC 20590

PARTY OF RECORD

KEITH G. O'BRIEN
REA, CROSS & AUCHINCLOSS
1707 L STREET, N.W., SUITE 570
WASHINGTON, DC 20036

Represents: BUCKINGHAM BRANCH RAILROAD
COMPANY

PARTY OF RECORD

FREDERICK C. OHLY
AMTRAK - LAW DEPARTMENT
60 MASSACHUSETTS AVENUE, N.E.
WASHINGTON, DC 20002-4225

Represents: NATIONAL RAILROAD PASSENGER
CORPORATION

PARTY OF RECORD

JAMES R. PASCHALL
NORFOLK SOUTHERN RAILWAY COMPANY
THREE COMMERCIAL PLACE
NORFOLK, VA 23510-9241

Represents: NORFOLK SOUTHERN RAILWAY
COMPANY

PARTY OF RECORD

KAREN J. RAE
DIRECTOR, DEPT. OF RAIL & PUBLIC
TRANSPORTATION
COMMONWEALTH OF VIRGINIA
1313 EAST MAIN STREET, SUITE 300
RICHMOND, VA 23218-0590

Represents: COMMONWEALTH OF VIRGINIA

STB Finance Docket No. 34495

NON-PARTY

GARY W. BRADFORD
BAKERY FEEDS
16375 DOSWELL PARK ROAD
DOSWELL, VA 23047

NON-PARTY

CONRAD C. DUGAN
KOPPERS, INC.
P. O. BOX 1534
CARY, NC 27512-1534

NON-PARTY

C. WILLIAM EVERS
KLOCKNER PENTAPLAST OF AMERICA, INC.
P. O. BOX 500
3585 KLOCKNER ROAD
GORDONSVILLE, VA 22942

NON-PARTY

NED K. GUMBLE
VIRGINIA VERMICULITE
P. O. BOX 70
14093 LOUISA ROAD
LOUISA, VA 23093

NON-PARTY

NANCY J. HALL
BEAR ISLAND PAPER COMPANY, LLC
10026 OLD RIDGE ROAD
ASHLAND, VA 23005

NON-PARTY

PAT MALANEY
BRETT AGGREGATES, INC.
4794 FINDLAY STREET, SUITE 2
RICHMOND, VA 23231

NON-PARTY

WILLIAM H. MAY, JR.
RICHMOND-TIMES DISPATCH
8460 TIMES-DISPATCH BOULEVARD
MECHANICSVILLE, VA 23116

NON-PARTY

MARK J. NORDEN
MARTIN MARIETTA AGGREGATES
9513 HULL STREET ROAD, SUITE A
RICHMOND, VA 23236-9517

NON-PARTY

DONALD R. PRESCOTT
CHIPCO, INC.
1376 FREDERICKS HALL ROAD
BUCKNER, VA 23024

NON-PARTY

JOSEPH M. RUFFIN, JR.
RUFFIN & PAYNE, INC.
P. O. BOX. 27286
4000 VAWTER AVENUE
RICHMOND, VA 23261

NON-PARTY

PETER J. SHUDTZ
CSX CORPORATION
1331 PENNSYLVANIA AVENUE, N.W., SUITE 560
WASHINGTON, DC 20004

NON-PARTY

JOHN R. SMITH
MEADWESTVACO CORPORATION
1011 BOULDER SPRINGS DRIVE
RICHMOND, VA 23225

NON-PARTY

PHIL STANLEY
THE BURKE-PARSONS-BOWLBY CORPORATION
P. O. BOX 86
GOSHEN, VA 24439

NON-PARTY

R. CURTIS STEELE, JR.
MCVITY EXECUTIVE CENTER
2758 ELECTRIC ROAD, SUITE A
ROANOKE, VA 24018

NON-PARTY
RICH WRIGHT
WESTERN REGION - VICE PRESIDENT
LUCK STONE
2975 IVY ROAD
CHARLOTTESVILLE, VA 22903